App. F. IX-4

1934 (Legis)

File No. 26-34

Previous References
Med. 136-32-1-10

Serial Nos. 1

PRESERVED

Later References.
Legis 62-35-1. Addition.

(12)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. One

Part B for Sept 1934.

SUBJECT.

Re. enforcing the provisions of the Mysore Food Prevention of Adulteration Regln IX of 1921.

WD 01965—GPB—15,000—7-7-34

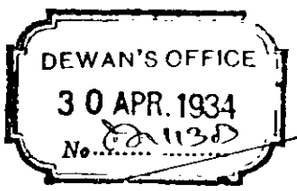
Dr. Abdul Aziz
4. X. 34

S 949 of 33

Judis 26-34-1.

DEWAN'S MINUTE.

FILE No. 193 .



PREVENTING FOOD AND DRUG ADULTERATION

ACT PASSED IN BARODA

(FROM OUR OWN CORRESPONDENT.)

BARODA, April 26.

With a view to prevent the adulteration in foodstuffs and medicinal drugs, as well as the sale of such articles in the State, the Baroda Government has enacted a measure on the same lines, as the Bombay Prevention of Adulteration Act, to be effective from April 26.

It is laid down that any attempt made to adulterate foodstuffs or drugs with commodities deemed injurious to the public health will be penalised by a fine to the extent of Rs. 500 for the first offence and Rs. 1,000 for subsequent ones, while the offence of manufacturing or selling of artificial products as genuine ones will be punishable by a fine to the extent of Rs. 300 for the first and Rs. 1,000 for subsequent offences. Any merchant or commission agent issuing a false guarantee with regard to the constituents of the commodity in which he trades is liable to be fined

1) Member with compliments

How will it do to introduce a similar measure in Kgpa ?

Sd
30-4-34

2) Previous refs if any I believe it was on 2 occasions before -

Sd
2/5

Sd
7-5-34

Sd
7/5/34

3) 7/5/34
Please put up our Regulation & Amendments

4) Copy of the Bombay Prevention of Adulteration Regn, 1921 as amended by Regn, IV of 1929 & IV of 1930 & Amendments put up.

The Bombay Code containing (Act V of

5949 (Protected)

Serial No.

The Bombay Prevention of Adulteration Act, 1925 is also similar. The expression 'food' has been defined in similar terms in both.

The provisions of the Bombay Act are wider in as much as separate provision exists therein for preventing mixing of food with injurious ingredients and there is also a penalty for false

Bom 19/5

5) File Med 136-32 Pt 1-10 available in the Medical Section is put up. Relating to the recommendations made contained in the Report of the Drugs Enquiry Committee appointed by the Govt of India

Said report is invited to the Sr Surgeon's letter dated 20-1-1933 forwarding his opinion on these recommendations & the reply of Govt on the subject sent to the Residency

A + ~~B~~ F

N.

Bom Med 12/5/34

6) Noted with regard to paras 2 & 3 of Govt. Secy. from the letter to the Resy of 27-1-33

NOTE—Contn. Sheet.

WD 01536—GPB—7,500—5-4-34

at flag N (in Medical file 130-32) & will be seen that Drugs Enquiry Committee made some suggestions regarding prevention of adulteration and misbranding of imported drugs and that the necessary action in the matter has been left to be done at the port of entry. These do not apply to Ayurvedic drugs and there is at present no manner of preventing adulteration. Submitted

1) Draft to the Legal Remembrancer Baroda requesting for a copy of the measure is submitted.

Issued No 18528 24.7.34

Serial No.

8) We have in force the Prevention of Adulteration Regulation of 1921, which follows the Madras Act, III of 1~~9~~10. Apart from the administrative provisions, the provisions penalising adulteration are these (section 5):-

1. Prohibition against sale or manufacture of articles of food not of the nature, substance or quality demanded;

2. Prohibition of abstraction from any article of food any part of it so as to affect its nature injuriously and with intent to sell it without notice of ~~alteration~~ abstraction;

3. Prohibition of sale of milk, cream, butter, etc., which is not up to the prescribed standard of purity;

4. There is also power under the rules to prohibit, in the interests of public health, the addition of water or other adulterant to food and the abstraction of any ~~ingredient~~ ingredient ~~food~~ from any food.

The Bombay Act of 1925 is somewhat different. The penal provisions therein are as follows:-

1. Prohibition of mixing, colouring or staining food with injurious ingredients or selling the same;

2. Prohibition of sale or manufacture for sale of food not of the proper nature which it purports to be;

3. Penalty for false guarantee.

These local Acts in India are in respect of food only. There is no Act preventing adulteration of drugs.

The Drugs Enquiry Committee of 1930-31 have recommended legislation for the control of drugs and pharmacy and such legislation which may be taken up by the Government of India will probably include the subject of adulteration of drugs. No legislation has yet been passed.

The English Act in regard to the matter, namely, the Food and Drugs (Adulteration) Act of 1928 is very comprehensive. As regards the prohibition of adulteration, food and drugs stand on the same footing. The penal provisions are these:-

1. restrictions of mixing, colouring, staining etc food and drugs with other ingredients ;

2. prohibition of sale of articles of food or drugs not of the nature or quality demanded;

3. sale of compounds of articles not composed ingredients demanded;

4. prohibition in respect of abstraction from articles of food so as to affect injuriously its nature;

5. special provisions with regard to special articles, such as milk, butter, cheese, margerine, e

6. penalties in respect of false guarantee an certificates.

It is a matter for the consideration of the

Serial No.

1

the Departments of Medicine and Health whethe the English Act will be suitable for Indian conditions and can be enforced. Even as it is, the impression is that even the provisior of the Food Adulteration Regulation are not being enforced rigourously in Mysore. So far as the adulteration of drugs is concerne there are not many concerns in the State manufacturing drugs for sale. Most of the drugs used here are probably being imported from British India and unless legislation is introduced in British India, we may not be able to prevent the adulterati

drugs

Second Member)

1/8?

9/

A The D^r of H may Consulted & - d on A & other, answering in the discussion.

4/8

W) The Director of Health with compl

6.8

11)

Retransmitted with compliments.

(12) The present adulteration Regulation is not strictly enforced in places where it is made applicable, as Mysore and Bangalore Cities, Chickmagalur town and the Kolar Gold Field area. If the law is to be properly enforced, there must be a special agency assigned for the purpose, such as whole time Food Inspectors and Municipal analysts. Mysore City has just appointed for one year a qualified analyst. Bangalore City and Kolar Gold Field have no analysts. For Bangalore City the Public Health Institute is impressed for service. In Kolar Gold Field the Health Officer functions as an analyst. It is understood the Bangalore Municipality has budgetted for an analyst and it is hoped he will soon be appointed. For field work, such as ~~coading~~ seizure of suspected food articles etc., an outdoor food inspector is necessary. No Local Body has employed any. This work is entrusted to the Sanitary Inspectors and it cannot be said they are doing this satisfactorily. There are a number of legal requirements to be satisfied when any article of food is seized for adulteration. The Sanitary Inspector saddled with multifarious duties and responsibilities can hardly find time to do justice to food inspection work.

As regards the present law on food adulteration, it seems quite adequate for the present requirements. The only provision that does not exist is in regard to the restriction in respect of mixing, colouring and staining with other ingredients, which is found in the Engli

General & Revenue Secretariat | File No.

Serial No.

English law. This may also find a place in our present law.

As regards adulteration of drugs etc., it is suggested that we may wait till British India brings the law in force. As has been observed in the Secretariat Note all drugs except some indigenous ones come from abroad. There therefore does not seem any immediate necessity for any statute in Mysore for drug adulteration.

Director of Health.
10/8/34

Copy of the Regulation sent to the Director of Public Health. Attention is invited to the remarks of the Branch Officer.
14/8/34.

B) I think we may advantageously incorporate in our Regulation the provision of the English Act about the Mixing, colouring and staining of food by other ingredients injurious to health or selling these (The Bombay act contains this provision)

Mixture

The question as to why the present agency is not useful for bringing home the guilt to the culprits under the Mysore Prevention of Adulteration Regulation and how it can be reformed has to be taken up

Thirdly it is desirable to have Drug adulteration Prevention Regulations wise. We need not wait for the rest of India to give us the lead or more drug manufactures to come to existence before taking any action.

Second Member.

CMS.
13.8.34

OFFICE OF THE
SECOND MEMBER OF COUNCIL
14 AUG 1934
No. Hfg

14) I agree with the Dr the provns of Food Adn Regn fairly adequate for our present needs & that the difficulty lies in enforcing its provisions owing to want of staff as analysts & Food Inspecting areas VKP, 7 area & of the larger mfg maybe circularies regarding the impt of enforcing the provns properly making necessary addns to the Rs if required.

15) The addn of the Technical colouring & staining maybe taken up when later on but I do not think the existing Drugs Adln Regn is req & since intended for the

General and Revenue
Secretariat

Sec

Devan.

23 AUG. 1934
No. A.79

Hej JM
23-8-34

for
CAN.
25.8.34

G.
25/8/34

Rec JM 28/8

TYPING SECTION.
29. AUG. 1934
GEN. & REV. SECTT.

This may serve to give me for Cabinet an extract of Members orders at paras 14 & 15 ~~of~~ for action

Due
25/8

G. M. H.)

G
27/8

Appendix F G—1]

SUBJECT .....

.....

.....

Diary No. of letter replied to ....

General and Revenue Secretariat

( )

the *193* .

Date of issue 24/7/34

Signed by .....

List of enclosures ....

Copied by .. ..

Examined by... ....

Section

File No.

Serial No.

No. P 352/—

To

The Legal Remembrancer

Baroda Govt

Baroda

Dear Sir,

I am desired to request you to be so good as to forward a copy of the measure recently enacted by the Baroda Govt to prevent the adulteration of food stuffs and medicinal drugs in the State.

Awaiting your

Yours sincerely

Secretary, Legislature

WD 01956—GPB—22,500—12-6 31

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

General and Revenue Secretariat,

No. G 2268-71
P.H.24-34-1

Dated, Bangalore, 6th Septr. *193*4

OFFICIAL MEMORANDUM.

It has come to the notice of Government that the provisions of the Mysore Prevention of Food Adulteration Regulation, II of 1921, as enacted by Regulations IV of 1929 and IV of 1930, are not being strictly enforced in the areas to which they have been extended. Government consider that this is to some extent due to want of staff assigned for the work such as Food Analysts and Inspectors. The importance of enforcing the provisions of the Regulation and of having adequate staff, if necessary by making additions to the establishments, are hereby brought to the notice of the local bodies concerned for necessary early action.

By Order,

General Secretary to Government.

To

The Municipal Commissioner, Bangalore City
through the President,
The President, City Municipal Council, Mysore,
The President, Kolar Gold Fields Sanitary Board,
The President, Chikmagalur Town Municipal Council
through Deputy Commissioner, Kadur.

Copy to Prof. Ry. relating the file.

Subject for General

7/9

7/9